

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Greggory G. and Tommie S. Tank,)
)
 Plaintiffs,)
)
 vs.)
)
Burlington Resources Oil and Gas)
Company, LP, and Murex Petroleum)
Corporation,)
)
 Defendants.)

ORDER

Case No. 4:10-cv-088

The court's Memorandum and Order of July 16, 2013, provided in relevant part the following:

3. If the Tanks indicate their agreement with the amounts of interest or royalty paid or fail to make the filing required above, then the schedule to resolve the remaining issues shall be as follows:
 - a. Any party seeking recovery of attorney's fees and costs with respect to this action (including both the Lassen Well and the Kings Canyon Well) shall file on or before August 16, 2013, a motion seeking recovery of the fees and costs that complies with the requirements of Local Civil Rule 54.1 (including the filing of a verified statement of fees and expenses along with supporting documents) accompanied by a brief explaining why the party is entitled to attorney's fees and costs. Absent further order from the court, any objections to the motions shall be filed on or before August 30, 2013, and any replies on or before September 6, 2013.
 - b. Murex shall file on or before August 30, 2013, a brief outlining what it is claiming with respect to its cross-claim against Burlington and the legal reasons why judgment should be entered against Burlington for such amounts. Burlington shall file a response on or before September 13, 2013, and Murex shall file any reply on or before September 20, 2013.

(Docket No. 131).

At the parties request, the court held a status conference on August 13, 2013, to discuss the

aforementioned briefing schedule. Pursuant to the parties discussions, the briefing scheduling shall be modified as follows. The parties shall file motions and supporting briefs regarding the “prevailing party issue” on or before August 16, 2013. Responses to these motions shall be filed by August 30, 2013. Unless and until the court directs otherwise, parties need not submit documentation regarding their respective costs and fees.

IT IS SO ORDERED.

Dated this 13th day of August, 2013.

/s/ Charles S. Miller, Jr. _____
Charles S. Miller, Jr., Magistrate Judge
United States District Court